

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(C).No. 21364 of 2007(R)

PETITIONER:

SR.MARY JACOB, AGED 52,
D/O. CHACKO, MOTHER SUPERIOR, F.C. CONVENT,
KARIKKAMURI, COCHIN-11.

BY ADV. SRI.JOHNSON MANAYANI

RESPONDENTS:

1. M.R. RANGANATHAN,
SIVAN ASSOCIATES, CHITTOOR ROAD, ERNAKULAM.
2. MR. SAMUEL JOHN,
C/O. HOMEIO CLINIC (SUJETHA), KARIKKAMURI,
KOCHI-11.
3. THE CORPORATION OF COCHIN,
CORPORATION COMPLEX, COCHIN-11.
4. THE SECRETARY TO LOCAL ADMINISTRATION,
SECRETARIAT, TRIVANDRUM.
5. THE CHIEF TOWN PLANNER, TRIVANDRUM.
6. THE GREATER COCHIN DEVELOPMENT AUTHORITY
KADAVANTHARA, COCHIN-28.
7. POLLUTION CONTROL BOARD,
GANDHI NAGAR, ERNAKULAM, REP. BY ITS
CHIEF ENVIRONMENTAL ENGINEER.
8. THE STATE OF KERALA
REP. BY ITS CHIEF SECRETARY, SECRETARIAT,
TRIVANDRUM.

BY GOVT. PLEADER K.J.MUHAMMED ANZAR
ADV. SRI.C.M.SURESH BABU,SC,COCHIN CORPORATI
SRI.P.R.RAMACHANDRA MENON, SC,GCDA
SRI.SREELAL N.WARRIER
SRI.SREELAL N.WARRIER
SRI.JOJI THOMAS
SRI.V.JOHN MANI
SMT.CISSY MATHEWS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C). NO. 21364 OF 2007

Dated this the 24th day of September, 2007

J U D G M E N T

A detailed counter affidavit has been filed by the 1st respondent. It is seen that the dispute between the parties is essentially a civil dispute, which will have to be adjudicated and decided by a competent civil court. Drawing my attention to Ext.R1(a) building permit, Mr. Johnson Manayani, learned counsel for the petitioner, submits that it shall be ensured that respondents 1 and 2 complies with the condition Nos.4,5 and 6 in Ext.R1(a) building permit.

Under this circumstances, I dispose of this writ petition relegating the parties to have an adjudication of the civil dispute between them before a competent civil court and directing that the 3rd respondent shall ensure that respondents 1 and 2 have complied with the condition Nos. 4,5 and 6 mentioned in Ext.R1(a) before the occupancy certificate is issued to them and before the building in question is finally numbered.

PIUS C. KURIAKOSE, JUDGE

vps

K.R. UDAYABHANU, JUDGE

CRL.A. NOS.721/99 & 213/02

JUDGMENT

13TH SEPTEMBER, 2007

CRL.R.P.769/00

ORDER IN CRL.M.P. NO.4143/00 IN CRL.R.P.769/00

DISMISSED

13.9.07

SD/- **K.R. UDAYABHANU, JUDGE**

/TRUE COPY/

PA TO JUDGE.